



**In The United States**  
**Patent & Trademark Office**

**Title: POKER TOURNAMENT MANAGEMENT SYSTEM**

**Applicant: R. Martin Oliveras**

**Serial Number: 10 / 809,951**

**Filing Date: MARCH 26 2004**

**Examiner: CHRISTIAN E. RENDON**

**Group Art Unit: 3714**

**Sir:**

**AFFIDAVIT OF PRIOR INVENTION UNDER RULE 131**

**R. MARTIN OLIVERAS, BEING OF FULL AGE AND BEING OF SOUND MIND, HEREBY SWEARS AS FOLLOWS:**

**I AM THE APPLICANT AND INVENTOR IN THIS MATTER.**

**APPLICANT'S APPLICATION WAS FILED ON MARCH 26 2004 AND WAS PUBLISHED ON SEPTEMBER 29 2005. APPLICANT'S APPLICATION COMPRISES ONE INDEPENDENT CLAIM 1 AND 63 DEPENDENT CLAIMS 2 THROUGH 64.**

**EXAMINER HAS REJECTED "CLAIMS 1-2, 4, 6, 8, 14-45 are rejected under 35 U.S.C. 103(a) as being un-patentable over BABA et al. (US 6,406,371 81) in view of SINES et al, (US 7,255,642 82)."**

**EXAMINER HAS ALSO REJECTED "CLAIMS 3,5, 7, 9-13 and 46-64 are rejected under 35 U.S.C. 103(a) as being un-patentable over BABA in view of SINES and in further view of NAKAGAWA (US 5,603,502)."**

**SINES PATENT #7,255,642 WAS ISSUED ON AUGUST 14 2007; WAS PUBLISHED ON DECEMBER 16 2004; AND WAS FILED ON NOVEMBER 25 2003.**

SECTION 35 USC 103 STATES IN PART AS FOLLOWS:

**35 U.S.C. 103 Conditions for patentability; non-obvious subject matter.**

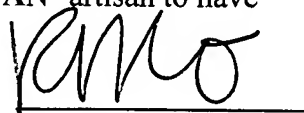
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made (EMPHASIS ADDED) to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

APPLICANT RESEARCHED HIS INVENTION COMMENCING SHORTLY AFTER MAY 1 2001.  
APPLICANT PREPARED HIS APPLICATION FROM BEFORE AUGUST 23 2003 UNTIL THE EARLY FALL OF 2003. APPLICANT FILED HIS APPLICATION ON MARCH 26 2004.

ACCORDINGLY IT IS APPLICANT'S CONTENTION THAT HE INVENTED THE CLAIMED SUBJECT MATTER BEFORE ONE OF ORDINARY SKILL IN THE ART WOULD HAVE COMBINED THE PUBLISHED SINES APPLICATION WITH BABA ON THE ONE HAND AND WOULD HAVE COMBINED THE PUBLISHED SINES APPLICATION WITH BABA AND NAKAGAWA ON THE OTHER HAND.

IT IS APPLICANT'S FURTHER CONTENTION THAT "one of ordinary skill in the art at the time the invention was made would NOT have been motivated to make the proposed modification" **BASED ON THE PUBLISHED SINES APPLICATION COMBINED WITH BABA ON THE ONE HAND AND THE PUBLISHED SINES APPLICATION COMBINED WITH BABA AND NAKAGAWA ON THE OTHER HAND.**

IT IS APPLICANT'S FURTHER CONTENTION THAT THERE WAS NO BASIS FOR AN "artisan to have found the claimed invention to have been obvious in light of the teachings of the references."



**R. Martin Oliveras**

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SWORN AND SUBSCRIBED TO BEFORE ME THIS 14 TH DAY OF DECEMBER 2007.



A NOTARY PUBLIC OF NEW JERSEY

BERKIS OLIVERAS  
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COMMISSION EXPIRES  
03/20/2010